

WEST VALLEY CITY, UTAH

ORDINANCE NO. 08-41

Draft Dates: 08/20/2008

Date Adopted: _____

Date Effective: _____

**AN ORDINANCE AMENDING SECTION 7-9-113 OF TITLE 7 OF
THE WEST VALLEY CITY MUNICIPAL CODE REGARDING
THE LANDSCAPE BERM REQUIREMENT.**

WHEREAS, the City desires to amend Section 7-9-113 of Title 7 of the West Valley City Municipal Code regarding the landscape berm requirement in the Off-Street Parking chapter to potentially allow the use of drainage swales.

WHEREAS, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to amend Section 7-9-113 of Title 7 of the West Valley City Municipal Code to reflect these changes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah, as follows:

Section 1. Repealer. Any provision of the West Valley City Municipal Code found to be in conflict with this Ordinance is hereby repealed.

Section 2. Amendment. Section 7-9-113 of Title 7 of the West Valley City Municipal Code is hereby amended to read as follows:

7-9-113. LANDSCAPING AND SCREENING.

(1) Parking lots with five or more spaces must have a minimum of a 10-foot wide landscape strip in side yards adjacent to any street and a minimum of a 20-foot wide landscape strip in front yards. A 10-foot wide landscape strip shall incorporate a 2-foot high masonry screen wall with the landscaping sloping upward to the top of the wall.

20-foot wide landscape strips shall incorporate a berm with a minimum elevation of three feet above the adjacent sidewalk. Exterior perimeters of the parking lot, which are not adjacent to a street, shall have a minimum of a five-foot wide landscaping strip.

(2) The Planning Commission may consider alternatives to the berming requirement as a conditional use on properties of at least ten (10) acres. This provision would apply only to properties in the Manufacturing (M) zone and only on interior streets within the development, not on any high-image arterial streets. Screening for adjacent parking lots would be required using a combination of hedges,

shrubs, trees, landscape boulders, screen walls and similar devices.

~~(2)~~(3) At least 15 square feet of landscaping for each parking space shall be provided within the interior of all off-street parking areas. Such landscaping shall be dispersed throughout the interior of the parking area. For parking areas with 20 or more total parking spaces in a double-loaded aisle, landscaping shall include at least a 5' x 36' landscape area with two trees at each end of the aisle. For parking areas with 28 or more total parking spaces in a double-loaded aisle, landscaping shall include at least a 5' x 36' landscape area with two trees at each end of the aisle

and incorporate one of the four options below (Figure 7.1):

- (a) 5' x 5' tree diamonds placed no more than 7 parking spaces apart;
- (b) 5' x 36' landscape areas with two trees placed 10 parking spaces apart;
- (c) a 5' landscaped median with trees planted 40' apart; or
- (d) other similar designs that disperse landscaping throughout the parking area and are acceptable to City staff.

~~(3)~~(4) All landscaped areas shall consist of at least 50% live plant materials and be serviced by a permanent underground water system. The remaining 50% may include mineral or nonliving organic permeable material. Landscape areas that are less than 8 feet wide shall utilize drip or bubbler irrigation and shall not include sod. Trees shall be planted in the landscape areas at a minimum ratio of one tree per 300 square feet of gross landscape area.

~~(4)~~(5) Parking lots of five or more spaces shall provide a masonry wall six feet in height when parking lots are adjacent to a residential use. The six-foot height of the wall shall be measured from the parking lot asphalt grade to the top of the screen wall. This solid barrier shall be maintained in good condition without any advertising thereon. When future commercial use of neighboring properties is recommended in the General Plan or when the subject property borders an educational facility, a waiver or substitute for the wall requirement may be approved. The waiver or substitution may be approved by the Planning Commission for conditional uses or by the Community and Economic Development Director or designee for permitted uses.

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting as required by law.

PASSED and APPROVED this _____ day of _____, 2008.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER